

**FORTY-NINTH LEGISLATURE
FIRST SESSION, 2009**

February 28, 2009

Mr. Speaker:

Your **HEALTH AND GOVERNMENT AFFAIRS COMMITTEE**, to whom has been referred

HOUSE BILL 777

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 7, line 9, after "condition", insert "for which medicare has denied payment".

2. On page 1, line 19, strike "5" and insert in lieu thereof "6".

3. On page 5, between lines 18 and 19, insert the following new section:

"Section 5. CONFIDENTIALITY AND PRIVACY PROTECTIONS.--

A. A patient's private and confidential health care information shall be protected from disclosure pursuant to the Hospital-Acquired Conditions Act. The department shall keep confidential and not disclose any personally identifiable patient file, record or other health care information to any person.

B. Except for the report issued pursuant to Subsection C of Section 4 of the Hospital-Acquired Conditions Act, which shall be a public document, any data or materials collected or compiled by a participating hospital or obtained by the department pursuant to that act shall not be:

(1) used in a disciplinary proceeding against a hospital or provider; or

(2) subject to disclosure pursuant to the Inspection of Public Records Act.

C. Data collected and reported pursuant to the Hospital-Acquired Conditions Act shall not be deemed to have established a standard of care for any purpose in private civil litigation."

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4. Renumber the succeeding sections accordingly.,
and thence referred to the **BUSINESS AND INDUSTRY COMMITTEE.**

Respectfully submitted,

Mimi Stewart, Chair

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____

The roll call vote was 5 For 3 Against

Yes: 5

No: Varela, Vaughn, Wallace

Excused: None

Absent: None

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.178008.3

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